



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY - REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007-1866



JUL 13 1995

EXPRESS MAIL
RETURN RECEIPT REQUESTED

Robert J. Davenport, Executive Director
Passaic Valley Sewerage Commission
600 Wilson Avenue
Newark, New Jersey 07105

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Re: Request for Information Under 42 U.S.C. §9601 et seq.
Diamond Alkali Superfund Site, Operable Unit 2

Dear Mr. Davenport:

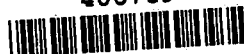
The United States Environmental Protection Agency ("EPA") is investigating the presence of hazardous substances in the sediments of the Passaic River. EPA is charged with responding to the release and/or threatened release of hazardous substances, pollutants and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §9601 et seq.

In this "Request for Information," EPA requests information concerning the nature and quantity of certain materials (hazardous substances and hazardous waste, as those terms are defined at Section 101(14) of CERCLA, 42 U.S.C. §9601(14), and Section 1004 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §6903 respectively) which may have been generated, treated, stored, or disposed of in the Passaic River Study Area of the Diamond Alkali Superfund Site in Newark, New Jersey. EPA makes its request pursuant to Section 104 of CERCLA, 42 U.S.C. §9604.

Pursuant to these statutory provisions, EPA hereby requires that you provide the information requested in Attachment A of this letter, as well as documents supporting your responses, and include the "Certification of Answers to Request for Information," with your notarized signature.

In preparing your response to this "Request for Information," please follow the instructions provided in Attachment B.

406769



Your response to this "Request for Information" should be postmarked or received by EPA within thirty (30) calendar days of your receipt of this letter. Your response should be mailed to:

Mr. Lance R. Richman, P.G.
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
290 Broadway, 19th floor
New York, New York 10007-1866

with a copy to Ms. Patricia C. Hick, Assistant Regional Counsel,
Office of Regional Counsel, 17th floor at the same address. *Copy to*


Your failure to respond to this "Request for Information" within the time specified above may subject you to an enforcement action under Section 104(e)(5) of CERCLA, 42 U.S.C. §9604(e)(5), and/or Section 3008 of RCRA, 42 U.S.C. §6928. An enforcement action may include the assessment of penalties of up to \$25,000 for each day of continued noncompliance.

Be advised that you are under a continuing obligation to supplement your response if information not known or not available to you as of the date of submission of your response should later become known or available. If at any time in the future you obtain or become aware of additional information and/or find that any portion of the submitted information is false, misleading or misrepresents the truth, you must promptly notify EPA. If any part of your response is found to be untrue, you may be subject to criminal prosecution.

If desired, you may assert a business confidentiality claim covering all or part of the information requested by this letter. The claim must be supported by each of the four factors specified in Section 104(e)(7)(E) of CERCLA, 42 U.S.C. §9604(e)(7)(E), and must be asserted at the time of submission, by placing on (or attaching to) the information a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret" or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by EPA only to the extent and by means of procedures set forth in Title 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

637-4409 637-3137
If you have any questions concerning this "Request for Information," please contact Mr. Richman, of my staff, at (212) ~~264-6695~~ or Ms. Hick at (212) ~~264-2642~~. Inquiries from attorneys should be directed to Ms. Hick. Your cooperation is appreciated.

Sincerely yours,


Kathleen C. Callahan, Director
Emergency and Remedial Response Division

Attachments

ATTACHMENT A

REQUEST FOR INFORMATION

Background

The United States Environmental Protection Agency ("EPA") is investigating the disposal of hazardous wastes into the Passaic River. EPA believes that the Passaic Valley Sewerage Commission ("PVSC") has information regarding direct or indirect release, discharge or disposal of wastes from industrial facilities into the Passaic River.

Please provide the information requested below, including copies of all available documentation, that supports your answers.

1. In what year did PVSC begin operations? Please provide information on PVSC's creation, organization, and its area of authority.

2. In what year did PVSC begin keeping records of industrial releases, disposal or discharges into the Passaic River? What initiated creation of a record relating to a release, disposal or discharge event (i.e., citizen complaint, discovery by PVSC investigators, regular inspections, etc.)?

3. a. Do you have information on releases, disposal or discharges of hazardous substances into the Passaic River, either directly or indirectly (through, for instance, possible combined sewer overflows) from the following industrial facilities in Newark, Kearny, Belleville or Harrison:

	<u>Yes</u>	<u>No</u>
1. Active Oil Company, 374 Main Street, Belleville	—	X
2. Adco Chemical, 148-154 Rome Street, Newark	X	—
3. Alcan Aluminum, Jacobus Avenue, Kearny	—	X
4. Alden Leeds, Inc., 2145 McCarter Highway, Newark	—	X
5. Alliance Chemical, 33 Avenue P, Newark	X	—
6. Arkansas Chemical, Foundry St., Newark	X	—
7. Ashland Chemical, Foundry St. or Doremus Ave., Newark	X	—
8. Associated Autobody & Truck, Raymond Blvd, Newark	—	X
9. Astron Corp., East Newark	—	X
10. Aszo Steel Company, Harrison	—	X
11. Atlas Refinery, 142 Lockwood St., Newark	X	—
12. Automatic Electro-Plating, Newark	X	—
13. Avon Drum Co., Newark	—	X
14. B-Line Trucking, Inc., 67 Esther St., Newark	X	—
15. Barth Smelting & Refining, 99 Chapel St., Newark	X	—
16. BASF Wyandotte Corp, 50 Central Ave., Kearny	X	—
17. Benjamin Moore & Co., 134 Lister Avenue, Newark	X	—
18. Berg Chemical, Newark	—	X
19. CWC Industries Inc., Newark	—	X
20. Cellomar Corp., 46 Albert Ave., Newark	X	—
21. Chemical Compounds, 29-75 Riverside Ave., Newark	X	—
22. Conus Chemical, Newark	X	—

	<u>Yes</u>	<u>No</u>
23. Coronet Chemical Co., Newark	—	X
24. Crucible Steel, Harrison	X	—
25. Dovan Chemical Corp., 441 Riverside Ave., Newark	—	X
26. DuPont, Doremus Avenue, Newark	—	X
27. Elan Chemical Co., Inc., 268 Doremus Avenue, Newark	X	—
28. Essex Chemical, 330 Doremus Ave., Newark	X	—
29. Fairmount Chemical Co., 117 Blanchard Street, Newark	X	—
30. Flexon Industries Corp., Washington Ave., Belleville	X	—
31. Gabest Company, 1000 S. Fourth St., Harrison	—	X
32. General Lead Batteries Co., Chapel & Lister, Newark	—	X
33. Grignard Chemical, Newark	—	X
34. A. Gross & Company, 652 Doremus Ave., Newark	—	X
35. Charles F. Guyon Co., Harrison	—	X
36. Honig Chemical, Newark	X	—
37. Hummel Croton, Chem., Foundry Street Complex, Newark	—	X
38. Miele Brothers Trucking, Newark	—	X
39. Monsanto Company, Pennsylvania Avenue, Kearny	X	—
40. PPG Industries, Inc., Newark	—	X
41. Pittsburgh Consolidated Coal, Doremus Ave., Newark	X	—
42. Plextone Corporation of America, Newark	—	X
43. Prince Packaging Company, Harrison	—	X
44. Reichhold Chemicals, Inc., 46 Albert Ave., Newark	X	—
45. Reilly Tar & Chemical, Doremus Ave., Newark	—	X
46. Reliable Steel Drum Company, 33 Avenue P, Newark	—	X
47. Revere Smelting & Refining, 383 Avenue P, Newark	—	X
48. Rose Ribbon and Carbon Manufacturing, Harrison	—	X
49. Sergeant Chemical Co., Lister Avenue, Newark	X	—
50. Sherwin-Williams, Brown & Lister Avenue, Newark	X	—
51. Sun Chemical Corp., Newark	X	—
52. Joseph Supor & Sons Trucking, Harrison	—	X
53. Synfax Manufacturing, 681 Main Street, Belleville	—	X
54. Thomasett Color Company, 120 Lister Avenue, Newark	—	X
55. Tower Manufacturing Company, 85 Doremus Ave., Newark	—	X
56. Walter Kidde & Company, 675 Main Street, Belleville	X	—
57. Witco-Humko Chemical Div., 652 Doremus Ave., Newark	X	—
58. Woburn Degreasing, 1200 Harrison Avenue, Kearny	—	X
59. U.S. Industrial Chemicals, 300 Doremus Avenue, Newark	X	—
60. Universal International Industries, Newark	—	X
61. Vulcan Material Company, 600 Doremus Avenue, Newark	X	—

b. If you answered "yes" to any of the questions in 3.a above, please provide all documents relating to the release, disposal or discharge event or events.

4. If you have information on any release, disposal or discharge events for companies listed in 3.a at locations other than those specified in the Question, please provide that information.

5. Do you have information on release, discharge or disposal of hazardous substances into the Passaic River, either directly or indirectly through possible combined sewer overflows, by any other company than those listed in Question 3.a? If so, please provide documents relating to those events.

6. Please provide all other documents pertaining to the results of any analyses of the discharge stream, surface water, ambient air or any other environmental media related to the events identified in response to Questions 3, 4 and 5.

7. Please provide the names of any parties at the company or facility with whom PVSC had any communication regarding the events identified in Questions 3, 4 and 5.

8. Provide the name, address, telephone number, title and occupation of the person(s) answering this "Request for Information" and state whether such person(s) has personal knowledge of the responses. In addition, identify each person who assisted in any way in responding to the "Request for Information" and specify the question to which each person assisted in responding.